



Relationships Through Service →

June 26, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

Received & Inspected

JUN 28 2012

FCC Mail Room

Sent Via Federal Express

CC Docket No. 02-6

RE: Appeal - Request for Review and Waiver of Rules for Decision by USAC-SLD

Organization Name: United Systems, Inc.

Contact Person: Alvin Myers
4335 N Classen Blvd
Oklahoma City, OK 73118
(405)778-8305
amyers@unitedsystemsok.com

Applicant Name: Blackwell Independent School District 45

BEN: 140275

Form 471: 401266

FRN: 1097283

Dear Secretary Dortch,

United Systems, Inc. respectfully submits this appeal in accordance with the process and procedure designated by the Commission and after following suggested prior remedies.

Reason for Request

This Appeal is a Request for Review and Waiver of the Rules for a situation that has been appealed to USAC and where USAC does not appear to have the authority to provide relief and resolution.

United Systems, Inc. submitted a valid invoice for products and services delivered to the Applicant within the appropriate program funding year service delivery window. We were denied payment for the related invoice due to the 486 Start Date being adjusted based on the paper certification page for the Form 486 not being received within the required time frame after on-line submission. This circumstance was the result of health

issues and personnel changes within the Applicant's administrative staff. The relevant facts and details regarding this request are contained in the Appeal to USAC incorporated below.

We have delivered the related products and services in good faith and have conducted our business in a manner that should allow us to receive payment for these products and services. We also believe good intent was shown by the applicant to allow them to benefit from the associated funding, including paying their portion of the funding request and attempting to correct the Form 486 certification page issue once it was clearly identified.

We would appreciate your consideration of this appeal request. Any effort by us to collect this money from the Applicant would not only place them in a hardship situation, but would also cause them to be outside of compliance with Oklahoma State Laws.

***** **Original USAC Appeal** *****

USAC action being appealed:

The 486 Service Start Date was changed to a date later than the original Service Delivery Start Date and too late for a valid invoice for services delivered within the eligible window of FY2004 to be processed. We are requesting the 486 Service Start Date be modified to the original 471 Service Start Date of 07/01/2004.

Explanation/Documentation

Blackwell Indep School Dist was funded for FY 2004 Internal Connections on 5/10/2005. Within the required timeframe of 120 days after FCDL, Connie Mack Hullet, who was responsible for E-rate filing for the District, submitted the Form 486 on-line. However, due to a serious illness, the certification page was not sent in at that time.

On 1/27/2006, United Systems, Inc, created an invoice for completed work related to this approved FRN. United Systems then submitted a Form 474 Service Provider Invoice to request payment for the discounted portion of this invoice on 1/27/2006. This USAC invoice was rejected due to the Ship Date being prior to the Service Delivery Start Date.

Through a call with the USAC support line, we found that the true reason for the rejection of the invoice was that the certification page had not been received by USAC from the Applicant. We were told that the Applicant would need to mail the certification page, wait for a 486 notification denial, then file an appeal. This should all be documented by Case # 21-423026.

The Superintendent of Schools for Blackwell, Lesa Ward did submit a certification page with a letter of explanation (see attached letter) on June 12, 2006. She could not find the original certification page that Connie Mack Hullet had prepared, so she had no

choice but to sign and date the certification as of that date. Instead of the 486 certification being rejected, it was accepted, but the 486 start date was adjusted to 2/12/2006, 120 days prior to the certification date. This still did not resolve the issue for the Service Provider Invoice given that the Service Delivery Start Date was after the Ship Date and Invoice Date.

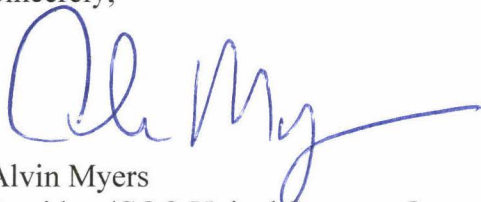
Further complicating matters and delaying the efforts to address this issue was an approximate 4 year wait for an FCC Appeal resolution on Service Delivery Date and the more recent serious illness of Superintendent of Schools, Lesa Ward. Ms. Ward has retired due to the illness and we had to bring the Interim Superintendent, Dr. Kem Keithly, up-to-speed before filing this Appeal.

This is a valid request for eligible services that were delivered. The Applicant paid their portion of the invoice when it was originally processed. If this Appeal is denied, the only option we have to recoup the money, is to ask the Applicant to pay the USAC portion. This would create a financial hardship for the School in tight budget times.

We would appreciate your careful consideration in approving this date change to allow the invoice to be processed.

***** End Original USAC Appeal *****

Sincerely,



Alvin Myers
President/COO United Systems, Inc.

enclosures:

Letter from Lesa Ward Re: 486 certification page
Funding Commitment Report
Administrator's Decision on Implementation Delivery Extension
Initial USAC Invoice dated 1/27/2006
Form 486 Notification Letter
Invoice Rejection Notification



**Blackwell
Public
Schools**

201 East Blackwell Street Blackwell, OK 74631 Phone (580) 363-2570 Fax (580) 363-5513

Office of the Superintendent

Received & Inspected

JUN 28 2012

FCC Mail Room

June 12, 2006

SLD-Form 486
C/O Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046

Dear Ms. Smith:

Please find attached a certification page for 486 # 296514, which was submitted online but the certification Block 4 page was never mailed in.

Although the 486 was submitted online in a timely fashion, the signature portion of the certification Block 4 page was not mailed due to an internal personnel conflict within the local school district. C.M. Hullet, technology coordinator for Blackwell Independent School District 45, who was responsible for completion of the 486 process at that time, did not forward the certification page of the 486 application due to an absence from work. Mr. Hullet suffered serious health and personal problems, which resulted in his resignation.

Please accept this information as a completion of information needed to begin the process of allowing approval. Should you need to contact me, please feel free to email me at lward@blackwell.k12.ok.us or by phone at 580-363-2570. Thank you for your assistance in this matter.

Sincerely,

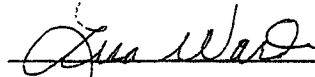
Mrs. Lesa Ward
Superintendent of Schools

Entity Number	140275	Applicant's Form Identifier	BLKWL-7-P2
Contact Person	Connie Mack Hullet	Phone Number	(580) 363-2570

I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

12. Signature of authorized person

13. Date 6-12-06



14. Printed name of authorized person

L e s a W a r d

15. Title or position of authorized person

S u p e r i n t e n d e n t

16a. Street Address, P.O. Box, or Route Number

2 0 1 E a s t B l a c k w e l l S t r e e t

City

B l a c k w e l l

State

Zip Code

O K 7 4 6 3 1

16b. Telephone number of authorized person

Extension

16c. Fax number of authorized person

5 8 0 3 6 3 2 5 7 0

5 8 0 3 6 3 5 5 1 3

16d. Email address of authorized person

Please submit this form to:

SLD-Form 486
P. O. Box 7026
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

SLD-Form 486
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
888-203-8100



FUNDING COMMITMENT REPORT

Service Provider Name: United Systems, Inc.
Service Provider Identification Number: 143004698

Funding Request Number: 1097283
Form 471 Application Number: 401266
Form 470 Application Number: 228790000473223
Name of 471 Applicant: BLACKWELL INDEP SCHOOL DIST 45
Applicant Street Address: 1034 S 1ST ST
Applicant City: BLACKWELL
Applicant State: OK
Applicant Zip: 74631-4300
Entity Number: 140275
Name of Contact Person: Connie Mack Hullet
Preferred Mode of Contact: FAX
Contact Information: (580) 363-5513
Funding Year: 2004 (07/01/2004 - 06/30/2005)
Funding Status: Funded
Contract Number: BLACKWELL-US-YR7-1A/1B
Services Ordered: Internal Connections
Site Identifier: 85071
Billing Account Number: 580-363-2570
Allowable Vendor Selection/Contract Date: 12/23/2003
Contract Award Date: 01/09/2004
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$72759.82
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$72759.82
Total Program Year Pre-Discount Amount: \$72759.82
Applicant's Approved Discount Percentage: 90
Funding Commitment Decision: \$65483.84 - FRN approved as submitted
Technology Plan Approval Status: Approved
Wave Number: 011
Applicant Letter Date: 01/11/2005

cc: Mike, Tammy,
Scott, Kylie

OKG (A22210

Administrator's Decision on Implementation Extension Request

November 30, 2010

Heather Ellison
United Systems, Inc.
4335 North Classen Blvd.
Oklahoma City OK 73118

Re: Blackwell Independent School District 45

471 Application Number:	401266
Funding Request Number(s):	1097283
Your Correspondence Dated:	November 23, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision.

Decision on Appeal: **Approved**

Since you have established circumstances beyond your named service provider's control that prevent you from meeting the established deadline for the delivery and installation of non-recurring services, you are granted an extension in accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001. The last date to deliver and install the non-recurring service(s) is **September 30, 2011**. While invoices should be submitted as soon as possible, the last allowable date to postmark an invoice for this non-recurring service(s) is **January 30, 2012**. The invoice should be submitted in accordance with the instructions on the Schools and Libraries web site (www.usac.org/sl/).

Please note that recurring services covered by this FRN must have been received during the course of regular program year, **July 01, 2004 through June 30, 2005**.

In order to process invoices, a valid Form 486 must be submitted by the Form 471 applicant.

In order to process eventual invoices on the non-recurring services, we will also require the applicant on the above-referenced Form 471 to file a Form 500 to amend the contract expiration date to **September 30, 2011**. Such extension of the contract expiration date must be in accordance with state and local procurement laws and the terms of the original contract.

We thank you for your continued support, patience, and cooperation during the request review process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Connie Mack Hullet, BLACKWELL INDEP SCHOOL DIST 45

UNITED SYSTEMS, INC.
PO BOX 960066
OKLAHOMA CITY, OK 73196-0066
(405)523-2162

Page 1

Invoice No 114334
Invoice Date 01/27/2006

PO 867
Sales Order

Rep USI
Terms RECEIPT

Sold To 100025
BLACKWELL INDEP SCHOOL DISTRICT 45
201 E. BLACKWELL AVENUE
BLACKWELL, OK 74631

Ship To
BLACKWELL INDEP SCHOOL DISTRICT 45
201 E. BLACKWELL AVENUE
BLACKWELL, OK 74631

Contact STEVE HART (580)363-2570

Qty	Description/Item No	Price	Total
1.0000	CABLING	3000.0000	3000.00
4.0000 EA	CABLE DROPS FOR INTERNET ACCESS SWITCH-24PT-10/100-PROC 2524 HEW-J4813A	925.2000 EA	3700.80
	S/N [SG529NV0AE] [SG529NV0AM] [SG529NV0AN]		
1.0000 EA	S/N [SG529NV0B4]		
1.0000 EA	MODULE-STACK-2424 PROC-GETH HEW-J4116A	211.3600 EA	211.36
6.0000 EA	TRANSCEIVER-PROC 100BFX SC HEW-J4853A	360.9500 EA	2165.70
1.0000 EA	LABOR	6500.0000 EA	6500.00
	LABOR INSTALLATION LABOR FOR HEWLETT PACKARD PROCURVE 2524 SWITCHES AND RACK CONNECTIONS		
1.0000 EA	DOCUMENTATION & DRAWING FEE'S NETDOC	3500.0000 EA	3500.00
	NETWORK DISCOVERY AND DOCUMENTATION PROVIDES NETWORK IP MAPS, DOCUMENTED DESIGN CHANGES AND PERFORMANCE RESULTS FROM INSTALLATION		
1.0000 EA	MAINT AGMNT-8X5XNBD/CAT3 CISCO-CON-SNT-PKG3	450.0000 EA	450.00
1.0000 000	CISCO 2621XM ROUTER MAINTENANCE CONTRACT MAINTCONT INFRASTRUCTURE MAINTENANCE TO INCLUDE INTERNAL	6375.0000 000	6375.00

(Continued on Next Page)

UNITED SYSTEMS, INC.
PO BOX 960066
OKLAHOMA CITY, OK 73196-0066
(405)523-2162

Page 2

Invoice No 114334
Invoice Date 01/27/2006

PO 867
Sales Order

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Terms RECEIPT

Sold To 100025
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Ship To
BLACKWELL INDEP SCHOOL DISTRICT 45
201 E. BLACKWELL AVENUE
BLACKWELL, OK 74631

Contact STEVE HART (580)363-2570

Qty	Description/Item No	Price	Total
	CONNECTIONS AND RACKS REPAIR, REPLACEMENT, OR RECONFIGURATION OF ELIGIBLE INTERNAL CONNECTION COMPONENTS IBM NF5000 SERIES SERVER - NOVELL ***** FUNCTIONALITY - DNS, DHCP AND E-MAIL ***** APC SMARTUPS 1500 HEWLETT PACKARD PROCURVE 2524 SWITCH MODULE FOR HEWLETT PACKARD 2524 SWITCH CISCO 2621XM ROUTER CABLING		
1.0000 000	NOS ANNUAL SUPPORT NOSSUP ANNUAL INTERNET SERVER OPERATING SYSTEMS SUPPORT FOR IBM NETFINITY 5000 SERVER INCLUDES ALL OPERATING SYSTEM RELATED PROBLEM RESOLUTION, TROUBLESHOOTING, AND INCIDENT MANAGEMENT WITH OPERATING SYSTEM MANUFACTURER AND CUSTOMER NOVELL	1800.0000 000	1800.00
***** ***** E-RATE YEAR 7 ***** ***** BLACKWELL INDEP SCHOOL DIST 45 ***** ***** WASHINGTON CENTER ***** ***** FRN# 1097283 471# 401266 ***** ****SCHOOL'S 10% PORTION: \$2,770.29**** ****SLD'S 90% PORTION: \$24,932.57****			

(Continued on Next Page)

UNITED SYSTEMS, INC.
PO BOX 960066
OKLAHOMA CITY, OK 73196-0066
(405)523-2162

Page 3

Invoice No 114334
Invoice Date 01/27/2006

PO 867
Sales Order

Rep USI
Terms RECEIPT

Sold To 100025	Ship To
BLACKWELL INDEP SCHOOL DISTRICT 45	BLACKWELL INDEP SCHOOL DISTRICT 45
201 E. BLACKWELL AVENUE	201 E. BLACKWELL AVENUE
BLACKWELL, OK 74631	BLACKWELL, OK 74631

Contact STEVE HART (580)363-2570

Qty	Description/Item No	Price	Total

****GRAND TOTAL:::::::::::::::::::::\$27,702.86****			

Date Shipped 10/20/2005		Subtotal	27702.86
Shipped Via DELIVERY			
FOB OKC		Sales Tax	0.00
Memo E-RATE YEAR 7		Shipping	0.00
		Invoice Total	27702.86
Tracking No			
Payment Received 2770.29		Balance Due	0.00

FORM 486 NOTIFICATION LETTER
FUNDING COMMITMENT REPORT
(Funding Year 2004)

Service Provider Name: United Systems, Inc.
Service Provider Identification Number: 143004698

Funding Request Number: 1097283
Form 471 Application Number: 401266
Form 470 Application Number: 228790000473223
Name of 471 Applicant: BLACKWELL INDEP SCHOOL DIST 45
Address of 471 Applicant: 1034 S 1ST ST
Applicant City: BLACKWELL
Applicant State: OK
Applicant Zip: 74631-4300
Entity Number: 85071
Name of Form 471 Contact Person: Connie Mack Hullet
Form 471 Preferred Mode of Contact: FAX
Form 471 Contact Information: 580-363-5513
Name of Form 486 Contact Person: Connie Mack Hullet
Address of Form 486 Contact: 201 E BLACKWELL
City of Form 486 Contact: BLACKWELL
State of Form 486 Contact: OK
Zip Code of Form 486 Contact: 74631-4300
Fax of Form 486 Contact: 580-363-5513
Telephone of Form 486 Contact: 580-363-2570
E-mail Address of Form 486 Contact: cmh@blackwell.k12.ok.us
Funding Year: 07/01/2004 - 06/30/2005
Contract Number: BLACKWELL-US-YR7-1A/1B
Services Ordered: Internal Connections
Billing Account Number: 580-363-2570
Service Start Date: 02/12/2006*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Contract Expiration Date: 09/30/2006
Total Program Year Pre-discount Amount: \$72,759.82
Applicant's Approved Discount Percentage: 90%
Funding Commitment Decision: \$65,483.84

143004698|United Systems,
Inc.|amyers@unitedsystemsok.com|usacstatement@universalservice.org|C00042
9600|1|0.00|12/6/2010|N
143004698|1097283|114334|0.00|"SLD Invoice Number:1424707;Line Item
Detail Number:4754877;Amount Requested:24932.57;Ship Date >[30] days
prior Act Start Dt;37;Ship Date Before 486 Service-Start Date;228;"

